



Notes and discussions

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EUROPEAN MIGRATION POLICIES BETWEEN RESTRICTIONS AND FEW RIGHTS. THE CASE OF THE BALKAN ROUTE

Abstract

The rise of new migratory routes in the world has represented a response to the unsuccessful strategies adopted by States in the field of people mobility. The Balkan route, in Eastern Europe, came out from the migration crisis in 2015 and continues until today. The main goal of this note is to provide a detailed literature regarding the policies adopted by the States to manage migration along Balkan countries. It is also the aim of this paper to show how policies have produced changes in the route, violating the fundamental human rights instead of reducing the number of people trying to cross the borders to reach Europe but rather creating categories of marginalized people in marginalized places.

Keywords: Migration, Balkan route, European migration policies, the game, pushbacks.

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1 The Balkan route

Migration is one of the burning issues of contemporary societies. In a world in which distances no longer seem to exist and where goods are exchanged with extreme ease, some people still find it greatly difficult to move from one country to another. This article focuses on these people, who often come from the poorest countries of the world affected by wars, internal conflicts, poverty and the effects of climate changes. In absence of legal pathways, migrants travel along routes that change with the political process. On the basis of the high principles and values that make Europe unique in the world, the article aims to raise awareness regarding what happens along the European borders and regarding how, particularly in the last years, the European migration policies are failing in their goals at the expense of human rights.

The area of interest for this study is the Balkan one regarding which, because of the complex situation widespread in the area, there is a gap in literature concerning the dynamics working there. This note proposes an analysis of the transformation processes of the Balkan route until today and how the migration policies in the countries have changed in line with the interests of Europe. Moreover, the article highlights what are socio-political factors that have an impact in the changes. Through the data collected by the Aegean Boat Report, which monitors issues related to people movements in the Aegean Sea, and a comparative analysis with data by other official international organisations, it was possible to show the negative effects that European policies have caused along the borders.

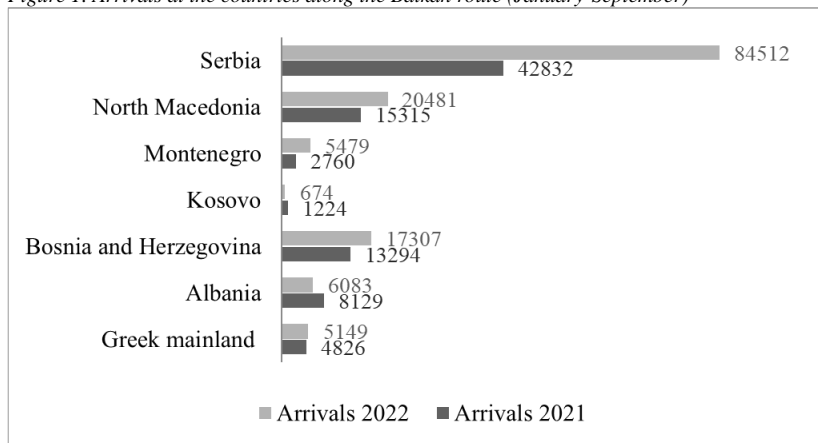
In public debate, Alan Kurdi's history (Ibrahim, 2018), a child died on a Turkish coast in an attempt to reach Europe, shifted the attention from the shipwrecks in the central Mediterranean to the long crossing of the Balkan route. Several people crossed the Balkans after landing in Greece from Turkey, but many have died on this route or been deprived of the most basic rights along the same borders.

Europe decided to implement a more humanitarian approach: in April 2015, a formalized corridor was established by the States for the transit of people. The corridor facilitated the movement of people from Greece to Central and Northern Europe crossing Serbia, North Macedonia, Croatia and Slovenia. However, the corridor was opened for only one year and it remains a historical event in recent EU history (Abikova and Wojciech, 2021). The rules of the corridor and its pathways were established thanks to the cooperation among the countries along the route by agreements fostered by the EU institutions, until the strong position of Hungary and Austria against the corridor drove the process of closing the corridor. At the same time, the European Commission led to a new process of Europeanization of migration policies and its externalization to non-European countries. The border was closed and thousands of migrants were stuck in the Balkan countries. Since then, Europe has financed Turkey to stop migrants from reaching Greece, the first European country of the route. The European institutions have established reception camps along the Balkan route for those migrants that despite the closure of borders are able to cross the borders relying on smugglers and traffickers. Moreover, this new form of cooperation among Balkan countries and European institutions allows formal expulsions at borders, the so-called *pushbacks*, during which migrants are denied applying for their asylum requests and suffer from subsequent violence and abuses by border police.

The data collected on the arrivals at the Greek mainland (UNHCR OPERATIONAL DATA PORTAL, 2021b) and the other countries of the Balkan

route suggest that the policies adopted by the European States cause a change of routes towards other countries (Figure 1).

Figure 1. Arrivals at the countries along the Balkan route (January-September)



Source: UNHCR OPERATIONAL DATA PORTAL (2022 and 2021a)

Moreover, in the last year, one of the most relevant events to demonstrate how migration is strictly linked to the show of strength among governments is the migration crisis along Poland (EU) – Belarus border. The crisis started when, in the summer 2021, Belarus increased the number of flight connections from the Middle East giving a visa-free travel for 30 days. Migrants arrived mainly from Iraq, Afghanistan, Syria and Turkey with the hope to reach Europe through the neighbouring Poland, Lithuania and Latvia. We have not much information regarding the reasons that have driven Belarusian President to promote these actions. Probably because of European sanctions inflicted on Belarus for the violations committed against the political protests in the country or simply by putting pressure on European States. In any case, even today, people on the move continue to be stuck in a forested border region in need of medical assistance, where they face freezing temperatures without food, water, shelter and warm clothes. Migrants suffer violence from the Belarussian army on the one hand, and from the Polish army on the other. International organisations such as Médecins Sans Frontières denounce the EU pushback policies and restricted access for aid organisations in forested border regions in which 21 people have already lost their lives (Médecins Sans Frontières, 2022). So, along the borders of “Fortress Europe” the dynamics do not change.

1.1 How the Balkan route is changing

In the history of European migration, the Balkan corridor remains the most solidarity response to the migration crisis adopted by European countries to help people to move into frontiers. In early summer 2015, the formalized corridor enabled refugees to cross the Balkans from Greece to Western Europe within two or three days by trains and buses. This policy guaranteed safe passages for migrants, who did not rely on smugglers or risked their lives in dangerous circumstances (Stojić Mitrović et al., 2016). The corridor was opened in different modalities and thanks to

a strong cooperation among European countries and non-European countries, until March 2016.

As a result, 1.5 million people crossed the Balkans led by police on the move to follow the corridor's direction: from Greece to Central and Northern Europe crossing Serbia, North Macedonia, Croatia and Slovenia (El-Shaarawi and Razsa, 2018). From Turkey to Aegean Islands migrants were stopped in the hotspots, instituted in May 2015 in the European Agenda on Migration (European Commission, 2015a), with the aim to help the Member States bordering with non-EU countries, to identify, register and fingerprint incoming people. Five hotspots were created in Greece, on the islands of Chios, Kos, Leros, Lesbos and Samos.

The registration was valid for 30 days and it enabled migrants to travel the mainland in a legal way.

Some countries, such as Serbia, benefited from the increasing number of migrants in their territory for promoting their accession process to the EU. On the contrary, in Greece there were several disputes, a clear sign of the unsatisfactory response of Europe in managing migration. The strong position of Hungary and then also of Austria against the corridor drove the process of closing. The result was that more than 75,500 migrants were stuck in transit countries, unable to move (Abikova and Wojciech, 2021). Another strategy to cut access to the formalized corridor was achieved by adopting the EU-Turkey deal signed on 18 March 2016. The migration became a security issue, a danger for public order, cultural identity, domestic and labour market stability. Although the European policies were influenced by humanitarian principles of governments based on alleviation of suffering and preservation of life, the border was closed. Despite these, people have continued travelling using more dangerous roads (Hameršak et al., 2020).

The newly adopted policies have changed the migration pathway and new countries take part in the Balkan route in different ways. The closure of the corridor and stricter border controls caused a dramatic transformation of the Balkan dynamics in recent years. The more restrictions are imposed to cross the countries, the more dangerous branches rise in the route. So, along the Balkan route migrants, who haven't possibility of reaching Europe in a safe way, try to arrive in Europe relying on smugglers and traffickers.

The biggest problem for migrants on the move is the accommodation. There are few accommodation centres with a limited capacity in transit countries. In 2018 the EU decided to collaborate directly with the International Organisation for Migration (IOM) and with United Nation agencies as partners instead of State institutions, in managing migration. Despite the great number of donations, they failed to create dignified and human living conditions, only offering places where people feel insecure and where psychological support and health care are limited. People, to fulfil the legal obligation, have to register an official address within a few days, but this process became impossible because of the lack of accommodation and the currently temporary solutions. The result is that a large number of people without personal documents and a regulated stay are considered illegal migrants and live in precarious conditions (Ahmetašević, 2020).

1.2 What happens along Balkan route?

People on move are often young men between 17 and 30 years old, but also women and children. They face the so called *game*: people struggle to walk for days through mountains and it happens that they make arrangements with smugglers to be

transported by car from the country they are leaving to Europe, they wait for days in highly hidden places fearing to be discovered by the police and turned away (Sapoch and Augustova, 2020). These remote locations are known as *squat* and *jungle camps*. The squats are abandoned and weathered houses, in peripheral and hilly areas, used as night shelter, with no water and electricity and limited hygienic conditions. When the squats are full, people on the move settle in the forests, creating so-called jungle camps, with the same degraded conditions. When the police discover the migrants push them towards the borders of neighbouring countries.

Pushback procedures are part of an interconnected network of actors during which several people suffer violence and physically attacks by border police (Sapoch and Augustova, 2020). Denial to asylum is one of pushback practice that migrants suffer along borders. The asylum requests are often ignored or shut down by verbal and physical attacks. Several organisations record cases of robbery and damage to private belongings. Moreover, Médecins Sans Frontières denounce the unnecessary force used by border guards on their patients along the route: black eyes, sprained ankles, broken legs and arms, pepper spray burns, and foot long bruises indicate the extreme violence exercised (Médecins Sans Frontières, 2018).

2 The role of EU

On 25 October 2015, leaders representing Albania, Austria, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Germany, Greece, Hungary, Romania, Serbia and Slovenia met in Brussels with the European Commission.

During the Meeting on the Western Balkans Migration Route the country leaders agreed on a 17-point Plan of Action (European Commission, 2015b). Namely, they agreed to cooperate with each other along the route and decided on pragmatic operational measures that can be implemented to tackle the refugee crisis in the region.

The States set up the operational measures to allow a permanent exchange of information, to control movement of people along the route, to discourage the movement of people to the border of another country or region without informing neighbouring countries.

With regard to support refugees, States increase the capacity to provide temporary shelter, food, health, water and sanitation to all in need.

In the management of migration States ensure a full capacity to register arrivals with the use of biometric data through a close cooperation with EU agencies. Frontex and other EU agencies step up efforts to return migrants not in need of international protection and to cooperate on readmission. Leaders also approve an increase of efforts to manage borders, including: implementing the EU-Turkey Action Plan (European Commission, 2015b); using the potential of the EU-Turkey readmission agreement and visa liberalization roadmap; upscaling the Poseidon Sea Joint Operation (Frontex, 2016) in Greece; reinforcing Frontex support at the borders between Bulgaria and Turkey, Greece-North Macedonia, Croatia-Serbia, deploying in Slovenia more police officers; strengthening the Frontex Western Balkan Risk Analysis Network (Frontex, 2020); making use, where appropriate, of the Rapid Border Intervention Team (RABIT) mechanism, that is a mechanism providing rapid operational assistance for a limited period to a requesting EU Member State facing a situation of urgent and exceptional pressure at points of the external EU borders from large numbers of third-country nationals trying to enter the territory of the EU Member State illegally.

The implementation of the EU-Turkey statement of March 2016 (European Council, 2016) has played a key role: in 2019 the arrivals via the Eastern Mediterranean route were 90 percent lower than in 2015, and a further decline was observed in 2020. At the same time, Turkey agreed to accept the rapid return of all migrants not in need of international protection crossing from Turkey to Greece and to take back all irregular migrants intercepted in the Turkish waters.

To date, the EU and Turkey continue this cooperation.

On 4 March 2020, the EU institutions expressed their solidarity with Greece, Bulgaria, Cyprus and other Member States similarly interested in efforts to manage the EU's external borders and support for the management of migration flows.

The EU and its Member States remain determined to protect the EU's external borders. Illegal crossing is not tolerated. They agree to take all necessary measures.

All Member States, the European Commission and EU Agencies stand ready to strengthen their support to areas under pressure through the deployment of Frontex rapid border intervention and additional technical assistance.

2.1 The implications of European migration policies on migration flows along the Turkish-Greek border

To collect data on migration along Balkan route is an extremely arduous work because of the participation of several countries. Migrants are counted many times during their journeys or, on the contrary, are not identified. For this work, I have used the official data of different international organisations, such as UNHCR and the Greek Agency Aegean Boat Report. I chose to analyse the situation at the Turkish-Greek border because it is the main entry point to the European border.

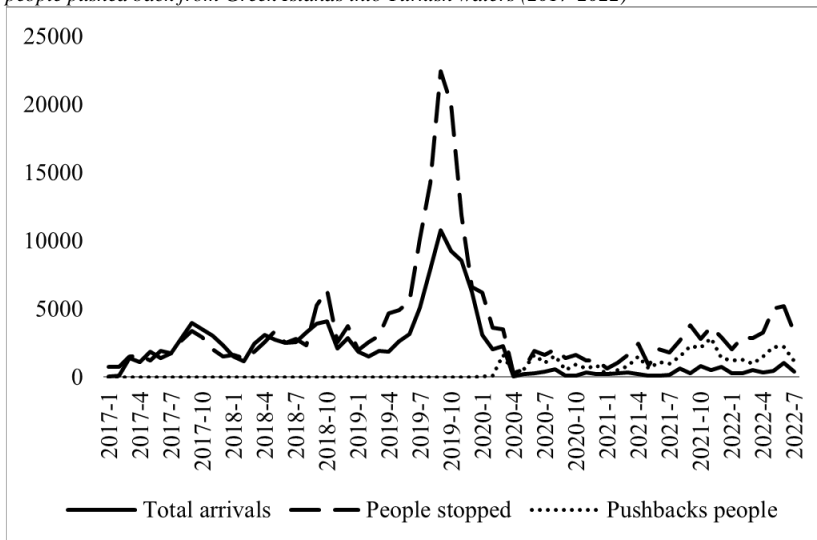
After a peak, for about a year, during which migrants at the European doors have used the formalized corridor to reach Europe, data show a drastic drop in arrivals (Figure 2). Thus, we can state that European policies effectively reflect the objectives, but what are their implications?

Including the last update on July 2022, the overall numbers registered since 2017 are:

- 133261 people arrived and 242102 people stopped;
- 130162 people transferred from the Greek Islands to mainland and a max population in camps on the islands equal to 42800.

According to the Aegean Boat Report (2022), in 2021 people arriving has decreased 54.9%, compared to 2020.

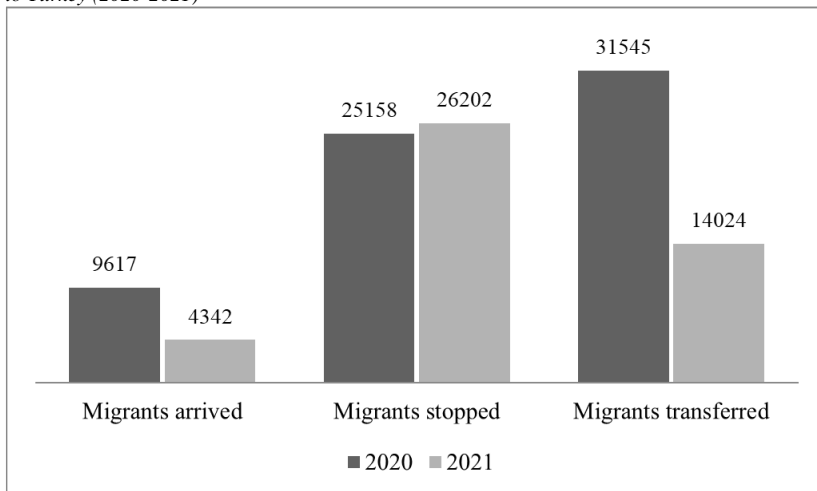
Figure 2. Trends of people arrived at the Greek Islands, people stopped by Turkish police and people pushed back from Greek Islands into Turkish waters (2017-2022)



Source: Aegean Boat Report Data Studio

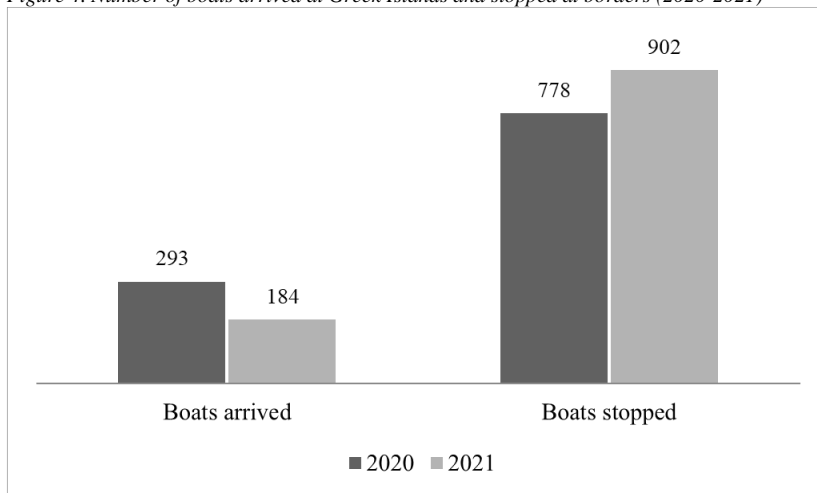
The study carried out by Aegean Boat association shows the trend of people arriving by boat and those stopping at the Greek Islands-Turkey border (Figure 3). Figure 4, on the other hand, refers to the number of boats that arrived at Greek Islands and stopped at borders during the same years (Aegean Boat Report, 2022).

Figure 3. Number of migrants arrived at the Greek Islands, stopped at borders and transferred to Turkey (2020-2021)



Source: Aegean Boat Report (2022)

Figure 4. Number of boats arrived at Greek Islands and stopped at borders (2020-2021)



Source: Aegean Boat Report (2022)

In 2020, of the 1071 boats that started their trip towards Greek Islands, only 293 arrived at their destination carrying 9617 people out of a total of 31545. In 2021, 184 boats made the trip, carrying 4342 people, the rest (902 boats with 26202 people) were picked up and arrested by the Turkish Coast guard and police. These data collected by Aegean Boat Report are in accordance with the number recorded by UNHCR equal to 9714 arrivals by sea in 2020 and 4331 arrivals by sea in 2021 (UNHCR, 2021b). Compared to 2020, it's easy to see how the arrivals have dropped but stopped boats and so stopped people have increased.

In 2021, 14024 people were transported to the mainland, from the Greek Islands, 55.5% less than in 2020. The total number of people hosted on Greek Islands has also decreased: official capacity is 13811 people. Today's camps population is less than in 2020 when it was 17005 and one year later it was equal to 3508, approximately 80% less. Camps population decreased by 13497 people last year by illegal pushbacks, violating international laws and human rights (Aegean Boat Report, 2022).

3 Conclusion

This article aims at identifying the role of Europe in managing migration policy along the Balkan countries. The study wants to outline the migrants' dangerous journeys across borders, partially legalized by European migration policies. The response to the migration crisis has been affecting Europe since 2015, although in line with a strong cooperation among countries, it fails in relation to its fundamental values and principles. From the analysis it emerges a series of violations of human rights informally admitted by the Member States, through the migration strategies established during the years. The externalization of borders and the creation of reception centres, in which refugees spend their time in a limbo situation, waiting for the possibility to apply for the asylum's request, represent the main wounds of Europe. The history of migration has a long genesis and demonstrates that it is

impossible to stop the migration flows. The process of globalization has increased the migration flows around the world and the closure of borders cannot be the solution. On the contrary, the forced closure of one border coincides with a new harder path to reach the Western societies in which migrants hope to find security and better economic opportunities.

As demonstrated by data on arrivals, the absence of legal pathways in Europe for people in need of protection forces migrants to take other pathways, creating conditions even more dangerous.

The situation in the Balkan region reveals that the cooperation among States can reach its aim only when it is based on a solidarity vision, supported by migration policies of inclusion both within and outside the European countries. The EU-Turkey agreement is the first challenge that Europe must overcome in view of the number of migrants that continue to cross the borders, fuelling the smugglers. Camps, both formal and informal, should be temporary living spaces but they became permanent spaces of transit, structured by governments so to deny the basic rights of a civilised society. Increasingly, these realities so structured are used by government as political tools, which, heedless of human rights, repeatedly, trample the basis of a “civil” society.

Europe plays a fundamental role in these actions because of its financing of technical equipment and training used along the border. An important advancement that the Member States should foresee is the end of the externalization policy of borders by which both the border police of Balkan countries and Frontex, the European agency, pushback migrants from one country to another in violation of human rights.

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